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United Nations reform: measures and proposals

Strengthening of the United Nations system

Review of the efficiency of the administrative and financial functioning of the United Nations

Programme budget for the biennium 2004-2005

Proposed programme budget for the biennium 2006-2007

Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Letter dated 8 November 2005 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the General Assembly

I am writing on behalf of the Group of 77 and China with respect to the outcome of the High-level Plenary Meeting of the General Assembly held in September 2005 and the follow-up to the Secretariat and management reform issues, in particular the creation of new administrative structures and their budgetary implications.

The Group wishes to commend you for your commitment to an open, transparent and inclusive process. This is imperative if we are to build on the lessons learned from the 2005 World Summit Outcome process.

We wish to make reference to the report of the Secretary-General entitled "Implementation of decisions from the 2005 World Summit Outcome for action by the Secretary-General" (A/60/430), which is in circulation but has not been formally introduced to the General Assembly for its consideration. The Secretary-General, on 25 October 2005, during his introduction of the proposed programme budget for the biennium 2006-2007, drew on elements of that report and conveyed to Member States his ideas regarding the follow-up to the implementation of the Secretariat and management reform issues.

In view of recent initiatives and actions that have been taken by the Secretariat, which appear to be in contradiction with very delicately balanced agreements reached in September 2005, we wish to place on record our concerns

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with the approach being taken as well as our position on some of the elements raised by the Secretary-General in his statement and in his report (A/60/430).

The Group of 77 and China indicated in its statement under agenda item 124 that it would respond to the proposals relating to the reform of the Secretariat at the appropriate time, in the appropriate forum and under the appropriate agenda item. The Group consequently wishes to state its preliminary views on the points raised by the Secretary-General in his introduction of the proposed programme budget 2006-2007. We refer to the relevant paragraphs in the report (A/60/430), recognizing, however, that it has not been introduced for discussion by the General Assembly.

First of all, regarding the range of issues relating to management reforms; as well as the creation of administrative structures and their budgetary implications, there seems to be a degree of ambiguity and contradiction in the report, as well as some reinterpretation of the provisions of General Assembly resolution 60/1 adopted at the High-level Plenary Meeting.

One example of such contradiction relates to paragraph 8. While it is mentioned clearly in this paragraph that "Budgetary implications related to matters still under consideration by Member States, such as the Peacebuilding Commission and the Human Rights Council, will need to be assessed separately once the final decisions on modalities have been taken", paragraphs 19 and 28 suggest that estimates for budgetary implications relating to the Peacebuilding Commission and the Human Rights Council will be submitted by the beginning of November. Such action could be interpreted as prejudging the outcome of the intergovernmental negotiations under way under your leadership and in accordance with paragraph 160 of General Assembly resolution 60/1. The Secretariat should exercise caution in dealing with such sensitive issues, which could be regarded as intervention in the intergovernmental process.

Furthermore, there seems to be a reinterpretation of the provisions contained in resolution 60/1 regarding the establishment of certain administrative structures in the Secretariat as outlined in the following examples:

Paragraph 24 of the Secretary-General's report suggests that the establishment of a rule of law unit is under way in the framework of the peacebuilding support office. Paragraph 134 of resolution 60/1 clearly indicated support for the idea of establishing a rule of law assistance unit within the Secretariat, and requested the Secretary-General to submit a report to the General Assembly in accordance with the existing relevant procedures governing the establishment of such structures. A detailed proposal needs to be submitted to the Assembly through the established procedures.

In the same vein, paragraph 30 of the report indicates that the Secretary-General will issue a bulletin establishing an ethics office by the end of the month of October. This comes as a surprise to us and raises serious concerns as it represents a departure from the agreement reached at the level of Heads of State and Government as contained in paragraph 161 (d) of resolution 60/1, which requested the Secretary-General to present details pertaining to an ethics office with independent status to the General Assembly at its sixtieth session. The expected procedure in this case is for all details, not just the budgetary implications, to be submitted to the General Assembly for its consideration in accordance with the existing rules and procedures.

I would also like to stress the following points regarding the issue of improving oversight throughout the United Nations system, with respect to paragraphs 34, 35 and 36 of the report of the Secretary-General.

We are surprised to learn that there is a proposed independent external evaluation of the OIOS, separate from that requested in paragraph 164 (b) of resolution 60/1. While we underscore the need for effective oversight mechanisms, we caution against an overload of the system. Duplication of studies and a piecemeal approach will not lead to strengthening the oversight mechanisms, rather they will overload the Organization with more layers of bureaucratic structures. We therefore suggest that all studies and the evaluation be channelled into the comprehensive review of the governance arrangements requested in paragraph 164 (b) of the resolution, to be submitted to the General Assembly for its consideration and decision.

Regarding the proposed establishment of an independent oversight committee, we also caution against establishing structures with overlapping mandates, which could result in more inefficiency and confusion in the functions of similar entities. Any proposal in this regard should be carefully thought out and include all the relevant information in accordance with paragraph 164 (c), including the relationship of such a structure with the existing independent, external entities as well as the internal mechanisms proposed by the Secretary-General.

With regard to the decision requesting the General Assembly and other relevant organs to review all mandates older than five years, paragraph 32 of the report of the Secretary-General seems to suggest a Secretariat-led process. It should be recalled that the role of the Secretariat is to facilitate the review by all organs and not to undertake the review itself, which is the purview of the General Assembly and other relevant organs. It is imperative to stress that this pertains only to those mandates older than five years, and should be conducted in an objective manner and not influenced by national political agendas.

The expectation of the Secretary-General that the review of the mandates will be completed in time for action in the first quarter of 2006 would indicate that many of the organs concerned will not have had an opportunity to undertake this review. We would need greater clarity on how this timeline could be achieved.

With regard to your proposal on the process to be followed for the consideration of the management reform proposals, as outlined in your letter of 3 November, while the plenary process can provide overall guidance on the implementation of resolution 60/1, I wish to emphasize the role of the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee in the consideration of the substantive and technical aspects of the management reform proposals. However, we believe that the review of mandates is a political exercise that should be considered at the plenary level once the relevant intergovernmental bodies have considered the mandates that fall under their purview. The remaining proposals should be submitted through the Advisory Committee and the Fifth Committee, in accordance with the established practice and the rules of procedure of the General Assembly.

The issues that I have outlined above reflect the concerns of the Group of 77 and China regarding approaches and actions reflected in document A/60/430 that are

inconsistent with our expectations of the processes and structures for consultations and negotiations and the provisions of resolution 60/1.

On behalf of the Group of 77 and China, I kindly request that the present letter be distributed as a document of the General Assembly under agenda items 118, 119, 122, 123, 124 and 132.

(*Signed*) Stafford **Neil**
Permanent Representative of Jamaica to the United Nations
Chairman of the Group of 77